

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA	*	CASE NO. 3:18 CR 167
Plaintiff	*	Hon. Walter H. Rice
vs.	*	<u>MOTION BY DEFENDANT</u>
MARIO ALBERTO ARZATE	*	<u>FOR EARLY DISCLOSURE</u>
GUTIERREZ, et al.	*	<u>OF JENCKS AND ALL OTHER</u>
Defendants	*	<u>ARGUABLY EXCULPATORY</u>
		<u>MATERIAL</u>

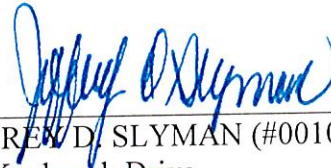
Now comes the Defendant, Mario Alberto Arzate Gutierrez, by and through counsel and respectfully moves this Court for an order directing the Government to provide Defendant with all Brady/Agurs/Giglio and Jencks material as soon as possible. It is also being requested that the Government will likewise be required to provide, under favor of Rule 16, Federal Rules of Criminal Procedure, copies of any and all materials that the Defendant rightly should have access to in order to prepare his defense and examine all government witnesses.

Inasmuch as the Government has insisted on pretrial detention thereby restricting Defendant's ability to prepare for his defense and meet freely with his counsel, the Defendant would respectfully submit that he should not be further penalized by being required to wait

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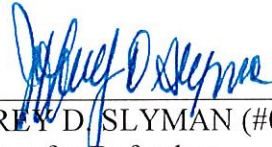
until the eleventh hour to review additional discovery and Jencks material that will be provided to him.



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served on Brent G. Tabacchi, United States Attorney's Office, 200 W. Second St., Room 602, Dayton, Ohio, 45402, and all counsel of record by electronic filing this 3rd day of December, 2018.



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